

REMARKS

Claims 1-8, 10, and 12-15 are now pending in the application. Claims 1 and 10 have been amended herein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-8, 10 and 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wise et al., U.S. Patent No. 5,884,262 in view of Houser et al., U.S. Patent No. 5,774,859 and Brodsky U.S. Pat. No. 5,809,471. This rejection is respectfully traversed.

None of the cited references, either singly or in combination, teaches the claims 1 and 10. The Examiner has cited the Wise reference as disclosing a computer network audio access and conversion system. Wise's invention is directed to an information retrieval system that converts the accessed internet files into audio. Unlike the Applicants invention, Wise does not provide two-stage information processing and filtering for the searching process. Wise relies on the user to make appropriate selection from the search results, and does not provide any filtering. For example, Wise clearly discloses that "If a search ...and more than one address is returned by the searcher...audio menu so that the user may select a single address." Applicants' invention, on the contrary, constrains search request and filters search results as shown by the recitations "...using said electronic program guide to constrain said search request..." and "said second filter ... selecting a first group of search results

...discarding a second group of search results from said received search results" (claim 1). Wise clearly does not disclose such a system.

Houser, as noted by the Examiner, discloses a multi-stage filtering process. Houser's invention is allowed a user to be initiated the search with a command which would bring up a display dedicated to that function. The user may then enter a command limiting the search by speaking additional commands. These commands limit the search. The screen displays these restrictions and reports how many matching items exist. Applicants' invention discloses how a two-step filtering searching process. After the search results come back to search engine commander, search engine commander in turn passes the results to the search results processor for filtering. Typically a user of this system does not want to see every piece of information identified by the search engines. Rather the user is typically interested in the best one or two information resources. To filter the results, search engine processor may have optional information filters that are based on user-defined preferences. These filters help processor determine which responses are likely to be more interesting to the user and which responses should be discarded. The presently preferred embodiment updates these information filters on a per-user basis, based on historical data gathered as the user makes use of the system. Houser clearly does not disclose such a process.

Further, the Brodsky reference discloses a system for searching information using a set of prioritizing keywords. However, Brodsky does not disclose a two-step searching processing of the Applicants invention as discussed above. Brodsky uses keywords to prioritize searching (col.5, lines 48-50). Brodsky's use of keywords may at best be considered a type of single filter based search filtering. However, the

Applicants invention as discussed above is different kind of searching and filtering system, that initially applies search constraining in pre-searching stage, and then applies two filters in the post-searching stage to provide better searching results to the user. Brodsky clearly does not disclose such a system. Therefore, the cited references cannot be combined, without the benefit of hindsight, to achieve the Applicants invention.

In order to more fully distinguish applicant's invention from prior art, claims have been amended to recite:

[Claims 1 and 10] at least one second filter, said second filter being used by said search results processor for selecting a first group of search results from said received search results and ~~discarding~~ setting aside a second group of search results from said received search results, said second filter being customizable by the user-; and updating said information filters on a per-user basis based on historical data gathered as said use of the system.

Applicant respectfully asserts that independent claims 1 and 10 recite novel subject matter neither taught, suggested, or motivated by Wise et al., Houser et al. and Brodsky and thus are in condition for allowance. Therefore, Applicant respectfully requests that the Examiner withdraw the rejections of Claims 1-8,10 and 12-15 under 35 U.S.C. §103 (a) based on their dependency from allowable claims.

DOUBLE PATENTING

Claims 1-8, 10, and 12-15 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of Davis et al., U.S. Patent No. 6330,557, in view of Houser et al., U.S. Patent No. 5,774,859.

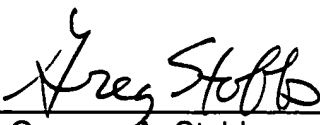
In view of the related remarks above, the Applicants establish that Houser cannot be used to render the present invention obvious. The Applicants respectfully request the Examiner to review and withdraw the double patenting rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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